



NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
WESTERN DISTRICT OF MISSOURI

TODD P. GRAVES

Contact Don Ledford, Public Affairs • (816) 426-4220 • 400 East Ninth Street, Room 5510 • Kansas City, MO 64106

www.usdoj.gov/usao/mow

APRIL 9, 2004

FOR IMMEDIATE RELEASE

OHIO MAN INDICTED FOR PILOTING PLANE ACROSS MIDWEST WITH INTENT TO DISTRIBUTE MARIJUANA

JEFFERSON CITY, Mo. – Todd P. Graves, United States Attorney for the Western District of Missouri, announced that a Columbus, Ohio, man was indicted by a federal grand jury today for possession with intent to distribute marijuana.

Russell Ray Johnston, 53, of Columbus, was charged in a three-count superseding indictment returned by a federal grand jury in Jefferson City.

Count One of the superseding indictment alleges that **Johnston** possessed with intent to distribute marijuana on March 7, 2004, in Callaway County, Mo.

Count Two of the superseding indictment alleges that **Johnston** traveled between Ohio, Texas, Arizona, New Mexico, Oklahoma and Missouri with the intent to promote the management of an unlawful activity. Count Two alleges that **Johnston** was promoting the distribution and possession with intent to distribute marijuana from at least Feb. 29, 2004, until March 7, 2004.

Count Three of the superseding indictment is a forfeiture count, which would require **Johnston** to forfeit any proceeds derived as a result or used to commit the federal violation contained in Count One. The forfeiture would include a 1967 Piper Cherokee 180 airplane.

Today's superseding indictment replaces a previous indictment returned by a federal grand jury on March 12, 2004, in Jefferson City.

Johnston was originally charged in a criminal complaint filed in federal court on March 9, 2004, in Jefferson City.

According to the affidavit filed in support of the federal criminal complaint, an air traffic

controller in Springfield, Mo., became suspicious of a Piper Cherokee airplane being monitored on radar on March 7, 2004. The pilot of the plane did not respond to the controller's requests, the affidavit says, and was flying in an unusual manner over central Missouri. The plane eventually landed at Fulton Regional Airport at approximately 9:05 a.m.

When officers with the Fulton, Mo., Police Department, were called to the airport, **Johnston** left the area. Law enforcement officers used a canine trained in the detection of illegal narcotics to conduct an exploratory sniff on the outside of the plane. The canine alerted to the presence of an illegal drug coming from the fuselage, so officers searched the plane. Approximately 52 pounds of marijuana was discovered inside a suitcase that was lying in the rear of the plane, directly behind the pilot.

On March 8, 2004, law enforcement officers located **Johnston** hiding behind a culvert near downtown Fulton and arrested him.

Graves cautioned that the charges contained in the superseding indictment are simply accusations, and not evidence of guilt. Evidence supporting the charges must be presented to a federal trial jury, whose duty is to determine guilt or innocence.

The case is being prosecuted by Assistant U.S. Attorney Anthony P. Gonzalez. It was investigated by the Fulton, Mo., Police Department, the Drug Enforcement Administration and the Federal Aviation Administration.

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at
www.usdoj.gov/usao/mow